**HON'BLE SRI JUSTICE GODA RAGHURAM**

**W.P.NO. 23927 OF 2006**

**DATED: 17.11.2006**

Between:

G. Sridhar

… Petitioner

and

Station House Officer, Madhapur Police Station, Cyberabad Commissionerate, Hyderabad and others

… Respondents

**HON'BLE SRI JUSTICE GODA RAGHURAM**

**W.P.NO.23927 OF 2006**

**ORAL ORDER:**

The relief sought in this writ petition is for quashing of Cr.No.156 of 2006, on the file of Madhapur Police Station, Cyberabad.

The 2nd respondent lodged a complaint dated 8.5.2006, which reads as follows:

> " I am the G.P.A. Holder for Kamala Donthireddy, W/o Purushotham Reddy, R/o Crawfordville, Montgomery, County, Indiana, U.S.A. I submit that under two different Registered Sale Deeds dated 23.1.1996 and dated 26.10.1998 Smt. D. Kamala purchased land adm.800 sq.yards plot bearing No.16, in Sy.No.11/7 (part) of Khanamet Village, Serilingampalli Mandal, R.R. District and House B.No.2-56/33/20/24, bearing Plot No.16/A, adm. 178 sq.yards at Khanamet Village, Serilingampally Mandal. I submit that ever since the date of purchase D. Kamala is in possession and enjoyment of the same. The said G. Sridhar along with anti-social elements on 28.4.06 and on 1.5.2006 tried to interfere with possession and enjoyment of above mentioned property Smt. D. Kamala filed suit O.S.No.1631/2006 on the file of the court of I Addl. Junior Civil Judge, R.R. District, and obtained temporary injunction on 3.5.2006. Now we came to know that person against whom we lodged complaint forged the signature of my principal who is residing in States and who never came to India on the date mentioned in G.P.A. executed a fictitious

> bogus document in favour of third parties. Therefore the said act of G. Sridhar is nothing but committing an offence of forgery creating of Bogus and fabricating documents and also cheating. Therefore I request you to investigate the matter and book the complaint and take necessary action immediately against the said G. Sridhar and oblize."

The same was registered by the 1st respondent Police Station as Cr.No.156 of 2006 on 9.5.2006, under Sections 420 and 468 of the Indian Penal Code.

It is contended by Sri D. Prakash Reddy, learned senior counsel for the petitioner, that the 2nd respondent claims to be a General Power of Attorney (GPA) holder of the 3rd respondent under an instrument dated 16.8.1994 notarized in Montgomery County, U.S.A., whereas the property in respect of which the complaint of a forged GPA was lodged against the petitioner, was purchased in 1996 and 1998, subsequent to the execution of the so called GPA by the 3rd respondent in favour of the 2nd respondent. Another assertion is that the complainant is a mere GPA holder and not the owner of the property, who is the 3rd respondent. These contentions are an invitation to weigh the evidence and analyse the facts.

None of these grounds justify quashing of the crime and interdiction of the investigation, on known principles for exercise of such a jurisdiction. The complaint does convey information as to commission of a cognizable offence. Whether the complaint is probablised on surrounding factual circumstances is a premature exercise. The investigation must proceed.

It is not the province of this court to interdict what is merely an

investigation into a complaint as to the commission of a cognizable offence. There are no merits.

The writ petition is accordingly dismissed. No order as to costs.

---

**GODA RAGHURAM, J**

**Date: 17.11.2006**
**CVM**